

**STATE OF RHODE ISLAND  
DEPARTMENT OF HEALTH  
BOARD OF PHARMACY**

**IN THE MATTER OF  
PRIME DRUG, INC.  
Retail Pharmacy  
License Number 00075**

**Summary Suspension**

The Board of Pharmacy received information regarding PRIME DRUG, INC. (hereinafter the "Respondent") 613 Cranston St., Providence, Rhode Island, concerning areas of the Respondent's practice as a Licensed Retail Pharmacy. After conducting an investigation into these areas, the Board of Pharmacy has brought the investigative findings to the attention of the Director of Health.

In accordance with the provisions of R.I.G.L. § 42-35-14, the Director of Health makes the following Findings of Fact and Conclusions of Law relating to the Respondent's continuation as a Licensed Retail Pharmacy.

**Findings of Fact**

1. The Respondent is a Licensed Retail Pharmacy that is licensed by the Board of Pharmacy and registered as a for profit corporation. The Officers of the Corporation are as follows: Domenic Colarusso, President and Treasurer, of 20 Hybrid Ave., Cranston, Rhode Island; Carmine DeTomasio, Vice President and Secretary, of 213 Summit Drive, Cranston, Rhode Island. The Board of Pharmacy conducted an investigation with the United States Food and Drug Administration, Office of Criminal Investigation and the United States Drug

Enforcement Administration, and the Rhode Island Attorney General  
Medicaid Fraud and Patient Abuse Unit.

2. This investigation revealed facts that demonstrate a clear pattern of intentional misconduct by the Respondent, by and through its corporate officers. Prime Drug, by and through its corporate officers, failed to keep a legal inventory of controlled substances and therapeutic drugs; bought non-controlled drugs and sold controlled substances and other therapeutic drugs illegally in violation of Pharmacies Act R.I.G.L. § 5-19.1-21 and the Uniform Substances Act, R.I.G.L. § 28-21-1 et. Seq. and the Food Drug and Cosmetic Act § 21-31 et. Seq.
3. The Respondent, by and through its officers, directors and employees, is responsible for maintaining a retail pharmacy where drugs are compounded, dispensed, stored, and sold and where prescriptions are dispensed to the general public in conformance with applicable state and federal laws and rules and regulation promulgated there under.
4. The Respondent, by and through its officers, directors and employees engaged in criminal misconduct, negligence and disregard for acceptable standards of retail pharmacy practice in a manner that makes the Respondent unfit to be a Licensed Retail Pharmacy.

#### **ORDER**

After considering the findings of the evaluation of the Respondent's practice, by and through its officers, directors and employees, as a Licensed Retail Pharmacy, it has been determined that the continuation as a Licensed Retail Pharmacy would constitute an immediate danger to the public. Accordingly, Retail Pharmacy License Number 00075 issued to PRIME DRUG, INC. is suspended until further Order of the Department of Health. The Respondent's suspension is in accordance with the provisions of R.I.G.L. § 42-35-14. Respondent is entitled to a hearing on the revocation or other administrative action regarding his license.

  
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David R. Gifford, MD, MPH  
Director of Health

5-6-08  
\_\_\_\_\_  
Date

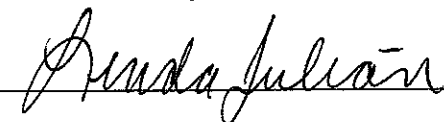
#### CERTIFICATION

I hereby certify that a copy of this **Summary Suspension Order** was sent via hand delivery to the Respondent on this 6th day \_\_\_\_\_ of May, 2008 at the following addresses:

Domenic Colarusso, RPh.  
President and Treasurer  
PRIME DRUG, INC.  
20 Hybrid Ave.  
Cranston, RI 02920

Carmine DeTomasio, RPh  
Vice President and Secretary  
PRIME DRUG, INC.  
213 Summit Drive,  
Cranston, RI 02920

Prime Drug, Inc.  
613 Cranston St.  
Providence, RI 02907

  
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